IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 1811 OF 2002

M/s.Vijay Printing Press .. Applicant

versus

The National Small Industries

Corporation Ltd. .. Respondent

...

Mr.P.P. Chavan for the applicant.

None for the respondent.

CORAM : D.G. KARNIK, J

DATED : 1st September 2006

P.C.:

1. Heard learned counsel for the petitioner.

2. This revision application is directed against the order 5th December 2001 passed by Civil Judge, Sr.Division, Satara referring the matter to arbitration.

3. Proviso to section 115, as substituted by Amendment Act no.46 of 1996, provides that in revision the High Court shall not vary or reverse any order made in the course of a suit or proceedings, if the impugned order were in favour of the revision applicant would not have finally disposed of the proceedings. In the present case even if impugned order is set aside it would not dispose of the suit but on the other hand, suit would be continued. In the circumstances, revision application is not maintainable and is accordingly dismissed.

(D.G. KARNIK, J)